

## MEMORANDUM

Agenda Item No. 14(A)(3)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

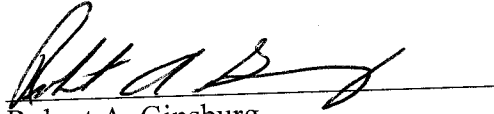
**DATE:** July 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution directing County  
Manager to post signs at  
beach areas when lifeguards  
are cleared off beach for  
safety reasons

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.

  
Robert A. Ginsburg  
County Attorney

RAG/bw



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 14(A)(3)

Please note any items checked.

- ☒ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

✓

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 14(A)(3)

07-07-05

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION DIRECTING THE COUNTY MANAGER TO  
POST SIGNS AT BEACH AREAS WHEN LIFEGUARDS ARE  
CLEARED OFF BEACH FOR SAFETY REASONS**

**WHEREAS**, Florida endures annual hurricane seasons; and

**WHEREAS**, lightning bursts and stormy weather create a hazardous condition by the  
water; and

**WHEREAS**, this Board desires to enhance security and safety at County-operated beach  
areas at Haulover and Crandon Parks (the “beach areas”) whenever beaches necessitate closing  
for varied reasons,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board directs the  
County Manager to post signs at lifeguard stations on the beach areas when the beach areas are  
cleared for hazardous conditions. The signs shall indicate that the beach areas are closed and  
shall order all patrons to vacate all beach areas until further notice. The signs shall also indicate  
that anyone remaining in the beach areas in violation of the notice shall be punishable in  
accordance with Sections 8CC-10 and 26-1 (Rule 13A) of the Code of Miami-Dade County and  
in accordance with Section 810.09 of the Florida Statutes governing trespasses with warnings. In  
addition to posting signs, if the beach areas are to be closed during operating hours, lifeguards or  
other park personnel shall provide an oral order requiring patrons to vacate the beach areas.  
Failure to clear the beach after said oral order is given shall be punishable in accordance with  
Sections 8CC-10 and 26-1 (Rule 13) of the Code of Miami-Dade County and in accordance with  
Section 810.09 of the Florida Statutes governing trespasses with warnings.

The foregoing resolution was sponsored by Commissioner Sally A. Heyman and offered  
by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded  
by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as  
follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day  
of July, 2005. This resolution shall become effective ten (10) days after the date of its adoption  
unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this  
Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Mariela Martinez-Cid